

	Abbotsford Police Department Policy	
	Administration	Conduct
	I.C.180	Off-Duty Activities

PREAMBLE

Abbotsford Police Department (APD) employees owe their primary professional responsibility to the Department. To fulfill that responsibility, they must be alert to the possibility that outside obligations, financial interests or employment relationships run the risk of compromising their objectivity as law enforcement personnel. Secondary employment, volunteer and other activities conducted by APD employees during their off-duty hours must not harm nor conflict with the business, security and reputational interest of the Department.

PRINCIPLES

Employees must not participate in off-duty activities which compromise the integrity of the Department. The Department generally permits employees to have secondary employment, providing it does not impair the employee's ability to carry out their APD duties in a fair and impartial manner, and does not put the security of APD at risk.

Some off-duty activities, by their nature (such as those using the unique skills and abilities acquired as a police officer – e.g. a security guard or private investigator), are prohibited. Others may be prohibited based on the exposure the employee may have to people or behaviours which may pose a security risk. **This policy is not intended to unnecessarily limit employee off-duty activities.** However, the Department has a fiduciary duty to the public to ensure that its employees appropriately manage the risks of their outside relationships and any bias which may prevent impartial service, and that they do not use advantages derived from their employment with APD.

PURPOSE

- (1) To ensure that the Off-Duty Activities of APD employees do not harm the business, security and reputational interests of the Department, and that on-duty employee safety and productivity are maintained.

DEFINITIONS

- (2) **“Conflict of Interest”** – A conflict between the public duty and the private interest of an APD employee, in which the employee’s private-capacity interest could improperly influence the performance of their official duties and responsibilities. “Conflict of Interest” includes actual or apparent conflicts, and those situations which have the potential to be actual or apparent conflicts.
- (3) **“Off-Duty Activity” or “Activity”** – For the purposes of this policy, activities conducted by the employee outside of the APD, including:
- (a) employment or consulting activities (also referred to as “secondary employment”¹);
 - (b) regular or periodic involvement with a business or company in which the employee has a principal (ownership) interest²;
 - (c) participation in a non-profit organization in which the employee is an officer or board member; or
 - (d) volunteer activity in which the employee uses unique policing skills, knowledge or abilities that may also be used in the course of their employment with the Department.

POLICY

- (4) Prior to engaging in an Off-Duty Activity, employees are required to disclose such Activity to the Human Resources (HR) Director on form APD-327 Off-Duty Activity Declaration. Employees are prohibited from participating in an Off-Duty Activity without prior disclosure.
- (5) APD generally permits employees to participate in Off-Duty Activities where:
- (a) the Activity causes no adverse effects on the employee's performance of job duties with APD;
 - (b) the Activity is performed outside of the employee's APD working hours;
 - (c) there is no Conflict of Interest (see policy [I.C.040 Conflict of Interest](#));

¹ Including, but not limited to: lecturing/instructing, fitness/personal coach/instructor, home-based/multi-level marketing business (e.g. home cleaning products, essential oils), home improvement services (e.g. roofing, painting, tiling, carpet installation, landscaping), automotive repair/restoration.

² But does not include such things as personal investment portfolios or a spouse’s business interest, unless the employee has a monetary or proprietary interest separate from the spouse.

- (d) there is no risk of reputational damage to the Department; and
 - (e) the Activity is not inconsistent with, as applicable, the employee's oath of office, standards of conduct as defined by the *Police Act*, and APD policy (including [I.C.086 Security Clearance](#)).
- (6) While engaged in Off-Duty Activities, APD employees:
- (a) receive no indemnification from the City of Abbotsford or the APD;
 - (b) are responsible for any litigation which may result from the Off-Duty Activity; and
 - (c) are not afforded WorkSafeBC coverage through APD, other than as noted in paragraph (11).

USE OF APD FACILITIES AND EQUIPMENT

- (7) An on-duty employee's first responsibility is to APD-related business. Employees will not engage in Off-Duty Activities while they are on duty.
- (8) Unless approved in advance by the HR Director, use of APD email addresses, APD-controlled fixed assets (e.g. vehicles, copiers) or consumables (e.g. office supplies) for Off-Duty Activities is prohibited. APD land-line and cellular phone numbers are not to be used for business activities.
- (9) Employees are permitted to sell merchandise or services for profit (e.g. promote a home-based business, sell hand-made goods, promote their services as a paid fitness instructor) to other employees on APD premises during the off-duty hours of all participating employees ("off-duty hours" includes meal or rest breaks). Use of the APD "[Classifieds](#)" page on the intranet to solicit co-worker engagement is permitted.
- (a) Promotional material for these activities may be left in APD common areas (e.g. break rooms, locker rooms), subject to it not preventing the area from being used as intended, and to its removal by the employee within a reasonable timeframe.
 - (b) Limited-duration use of a common area to "showcase" merchandise sold by an employee may be permitted with the authorization of the HR Director.

APD EMPLOYEES AS PRIVATE CONTRACTORS TO APD

- (10) APD will consider engaging APD employees as independent contractors to provide goods and off-duty services to the Department. Employees bidding to provide contracted services to the Department will not receive preferential treatment based on their relationship with the Department.
- (11) During the time an APD employee is performing Off-Duty Activities contracted by the Department, the Department's liability and responsibility to the employee is limited to that which is afforded any other independent service provider under contract with the Department.
- (12) At the discretion of the Chief Constable, an employee on leave from APD may be contracted by the Department to provide off-duty services.

VOLUNTEER ACTIVITIES

- (13) Although not subject to mandatory disclosure, employee volunteer activities not meeting the definition of **Off-Duty Activity** must still comply with the spirit of this policy.

DECLARATION AND REVIEW

- (14) The HR Director is responsible for reviewing Off-Duty Activity declaration forms. If it appears that an employee's Off-Duty Activity poses a Conflict of Interest which cannot be mitigated to the satisfaction of the Department, the employee will be prohibited from participating in that Off-Duty Activity. The HR Director will consult the Deputy Chief Constable, Administration (DCC-Admin) for guidance regarding the assessment of declarations and Conflict of Interest as required.
- (15) It is the responsibility of the employee to immediately report to the HR Director any change in the scope or marketing practices of their previously disclosed Off-Duty Activities. An updated form APD-327 Off-Duty Activity Declaration may be required at the discretion of the HR Director.
- (16) A previously reviewed Off-Duty Activity Declaration form may be reevaluated and/or the Activity may be prohibited at any time by the HR Director.
- (17) An employee may appeal the prohibition of an Off-Duty Activity to the Chief Constable.
- (18) APD-327 Off-Duty Activity Declaration forms will be retained in the employee's personal file.

RELATED DOCUMENTS	
Policy:	I.C.040 Conflict of Interest
Form:	APD-327 Off-Duty Activity Declaration

POLICY HISTORY	
Effective:	October 11, 2018